

| Commissioner for F P. O. Box 1450 Alexandria, VA 223 | |
|--|---|
| Dear Sir: | |
| hereby make of rec | nce with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) for the references listed on the accompanying Form PTO-1449 for consideration by nnection with the examination of the above-identified patent application. |
| This Inform | ation Disclosure Statement: |
| (a) 🗌 a | accompanies a new patent application submitted herewith. |
| | s filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR |
| f L | s filed after the first Office Action and more than three months after the application's iling date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR |
| i: S | s filed after the mailing date of either a final rejection or a notice of allowance, and the ssue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(I)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement. |
| | under § 1.97(e), Applicants, through the undersigned, hereby state either that [check |
| the appropriate spa | _ |
| ` | Each item of information contained in the Information Disclosure Statement was first sited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or |
| t ii k | No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the illing of the Information Disclosure Statement. |
| - | tfully requested that each of the references shown on the attached Form PTO-1449 |

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896

Respectfully submitted,

Date: May 7, 2004

GRAY CARY WARE & FREIDENRICH LLP

By: Alan A. Limbach
Reg. No. 39,749
Attorneys for Applicant(s)

Gray Cary Ware & Freidenrich LLP
2000 University Avenue, East Palo Alto, CA
94303-2248
Phone: 650-833-2433
Facsimile: 650-8332001

Customer Number or Bar Code Label

26379

(Insert Customer No. or Attach bar code label here)

Page 2 of 2

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: Commissioner for Patents; P. O. Box 1450, Alexandria, VA 22313-1450.

Signature

May 7, 2004

Date

Gray Cary\EM\7165539.1 2102447-990101

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, po persons are required

Substitute for form 1449A/PTO

Examiner

Signature

Ċ

INFORMATION DISCLÉSURE STATEMENT BY APPLICAN

(Use as many sheets as necessary)

Sheet 1

| re | espond to a collection of informati | ion unless it displays a valid OMB control number. | | | | | |
|---------------------------|-------------------------------------|--|--|--|--|--|--|
| $\int_{-\infty}^{\infty}$ | Complete if Known | | | | | | |
| ď | Application Number | 10/671,314 | | | | | |
| , | Filing Date | September 24, 2003 | | | | | |
| | First Named Inventor | Brent Bilger | | | | | |
| | Art Unit | 2173 | | | | | |
| | Examiner Name | Not assigned yet | | | | | |
| | Attorney Docket Number | 2102447-990101 | | | | | |

| | | | U. S. PA | TENT C | OCUM | ENTS | | | | | |
|-----------------------|--------------------------|---|--------------------------------|------------|--|--------------------------|------------------------|---|----------|--|--|
| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code 2 (if known) | Publication Date MM-DD-YYYY | | Name of Patentee or Applicant of Cited Document | | Relevant | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | | | |
| | | Number-Kind Code | 40/40/0 | 000 | Dile | , | | Tigures Appear | | | |
| | | US- 09/693,299 | 10/19/2 | | Bilger | | | | | | |
| | | ^{US-} 09/693,530 | 10/19/2 | | Bilger | | | <u> </u> | | | |
| | | ^{US-} 09/693,468 | 10/19/2 | 000 | Bilger | | | | | | |
| | | ^{US-} 09/693,370 | 10/19/2000 | | Bilger | | | | | | |
| | | US- | | | | | | | | | |
| | | US- | | | | | | | | | |
| | | US- | | | | | | | | | |
| | | US- | | - | | | | | | | |
| | | US- | | | | | | | | | |
| | | US- | | | | | | | | | |
| | | US- | | | | | | | | | |
| | | US- | | | | | | | | | |
| | | US- | | | | | | | | | |
| | | US- | | | | | | | | | |
| _ | | US- | | _ | | | | | | | |
| | | | | | | | | | | | |
| | | US- | | | | | | | | | |
| | | US- | | | | | | | | | |
| | FOREIGN PATENT DOCUMENTS | | | | | | | | | | |
| | | | FOREIGN | AIENI | DOC | DINIENIS | <u> </u> | | г— | | |
| Examiner Initials* | Cite No. 1 | Foreign Patent Docum | Foreign Patent Document | | ion Date | Name of Patentee or | Pages, | Pages, Columns, Lines, | т 6 | | |
| inidais | NO. | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | MM-DD-YYYY | | Applicant of Cited Docum | ent Where or Rele | Where Relevant Passages or Relevant Figures Appear | | | |
| | | , | | | | | | | | | |
| | | | | | | ·· | | | | | |
| | | | | Ī | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | <u> </u> | | |
| | | | | | | | | | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Date

Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,